REMARKS

This is in response to the Office Action dated December 21, 2005. Claims 28-34 have been canceled, without prejudice in view of the Restriction/Election Requirement. Claims 10, 13, 17, 24 and 27 have also been canceled. Thus, claims 1-9, 11-12, 14-16, 18-23, 25-26 and 35-39 are now pending.

The parent case status has been updated as requested by the Examiner. Moreover, the claim changes herein address and overcome any potential Section 112 issue raised on page 3 of the Office Action (%FeO is no longer in the claims).

Claims 1, 12, 19 and 35have been amended so as to require 0.04 to 0.10% total iron and *0% cerium oxide*. Example support for the 0.04 to 0.10% total iron may be found in Table 2 on page 6 of the instant application, and also in Table 5 on page 12 of the instant application.

The requirement of 0% cerium oxide is also supported by the instant specification for at least the following three reasons. *First*, paragraph [0022] of the originally filed specification states that other oxidizing agents may be used "*instead of cerium oxide* in certain example embodiments of this invention." The word "instead" is defined in the American Heritage Dictionary, Office Edition 1994, as "in the place of that previously mentioned." Thus, it is clear that paragraph [0022] indicates that other oxidizing agents may be used in place of cerium oxide, which would of course mean that no cerium oxide would be present in such embodiments. Accordingly, paragraph [0022] of the instant specification clearly describes that cerium oxide is not present in certain example embodiments of the invention, thereby supporting 0% cerium oxide. It is also noted that originally filed independent claims 1, 12, 19, 28, 35, 41 and 48 (all original independent claims) do not require or even mention cerium oxide thereby emphasizing that it is not required. *Second*, the parent application (now US 6,610,622), which is *incorporated*

by reference into the instant application, supports 0% cerium oxide. For example, at col. 1, lines 58-63, the parent states that "[w]hile cerium oxide is preferred in many embodiments, its presence is not a requirement . . . the cerium oxide in the glass batch may be either replaced or supplemented by . . . ." See also the Abstract of the parent. Furthermore, Table 6 in the parent mentions 0% cerium oxide. Still further, Example 11 in the parent uses 0% cerium oxide (again, this is incorporated by reference in this application). This is yet another teaching in the instant specification that supports 0% cerium oxide. *Third*, it is pointed out that unlike materials such as Fe and Cr which are often present in trace amounts in certain glass-making materials, cerium oxide is not; i.e., cerium oxide is not a material which is naturally found in trace amounts in glass-making materials. Thus, when an Example as in the parent says 0% cerium oxide or when something is used "instead of" cerium oxide, this means that cerium oxide is not inherently present in the glass.

As explained above, claims 1, 12, 19 and 35have been amended so as to require 0.04 to 0.10% total iron and *0% cerium oxide.* The cited art fails to disclose or suggest this feature. For example, JP '534, Kitayama '126 and Kitayama '021 all require cerium oxide as a key component of their glasses. For instance, Kitayama '126 in paragraph [0036] teaches that the glass must contain at least 0.08% cerium oxide because if anything less was provided then the glass would be undesirable in that not enough UV would be absorbed fro Kitayama's bottle applications. As another example, Kitayama '021 teaches at col. 5, lines 50-67, that at least 0.2% cerium oxide is required. JP '534 teaches in the abstract that at least 1.3% cerium oxide is required. One of ordinary skill in the art would never have modified these references to eliminate the cerium oxide because the references all teach the importance of cerium oxide and one would not have ignored these teachings. Moreover, Koyama also fails to disclose or suggest

0.04 to 0.10% total iron and 0% cerium oxide. Koyama expressly requires that total iron be "not more than 0.02%" (e.g., col. 7, lines 27-29; Abstract; and col. 19, lines 53-54). Again, one of ordinary skill in the art would never have modified Koyama to eliminate this feature because Koyama teaches that it is essential. This is emphasized by the fact that Koyama's Examples 1-30 all use less than 0.02% total iron which is precluded by the pending claims.

While applicant does not necessarily agree with the provisional obviousness-type double patenting rejection, a *terminal disclaimer* has been filed herewith.

It is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

Respectfully submitted,

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